

FILED
Clerk
District Court

APR 17 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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Attorneys for Defendant Justice Alexandro C. Castro

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

ROBERT D. BRADSHAW,

Plaintiff,

vs.

COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS
(hereafter referred to as the CNMI),
NICOLE C. FORELLI, former Acting
Attorney General of the CNMI, in her
personal/individual capacity; WILLIAM
C. BUSH, former Assistant Attorney
General of the CNMI, in his
personal/individual capacity; D.
DOUGLAS COTTON; former Assistant
Attorney General of the CNMI, in his
personal/individual capacity; L. DAVID
SOSEBEE, former Assistant Attorney
General of the CNMI, in his
personal/individual capacity; ANDREW
CLAYTON, former Assistant Attorney
General of the CNMI, in his
personal/individual capacity; Other
UNKNOWN and UNNAMED person or
persons in the CNMI, in their personal/
individual capacity; ALEXANDRO C.
CASTRO, former Justice ProTem of the
CNMI SUPERIOR COURT, in his
personal/individual capacity; PAMELA S.
BROWN, former Attorney General of the
CNMI; in her personal/individual capacity;
ROBERT A. BISOM; and JAY H.
SORENSEN.

Defendants.

CIVIL ACTION NO. 05-0027

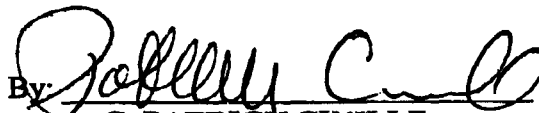
**ERRATA TO (1) EX PARTE MOTION
EXTENDING TIME UNDER LOCAL
RULE 7.1.h.3(b) AND FEDERAL RULES
OF CIVIL PROCEDURE 6(b);
APPLICATION FOR INCREASE OF TIME
UNDER LOCAL RULE 7.1.h.2; (2)
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF EX
PARTE MOTION EXTENDING TIME
UNDER LOCAL RULE 7.1.h.3(b) AND
FEDERAL RULES OF CIVIL
PROCEDURE 6(b); APPLICATION FOR
INCREASE OF TIME UNDER LOCAL
RULE 7.1.h.2; and (3) [PROPOSED]
ORDER GRANTING EX PARTE MOTION
EXTENDING TIME UNDER LOCAL
RULE 7.1.h.3(b) AND FEDERAL RULES
OF CIVIL PROCEDURE 6(b);
APPLICATION FOR INCREASE OF TIME
UNDER LOCAL RULE 7.1.h.2**

1 The (1) Ex Parte Motion Extending Time Under Local Rule 7.1.h.3(b) and Federal Rules
2 of Civil Procedure 6(b); Application for Increase of Time Under Local Rule 7.1.h.2;
3 (2) Memorandum of Points and Authorities in Support of Ex Parte Motion Extending Time
4 Under Local Rule 7.1.h.3(b) and Federal Rules of Civil Procedure 6(b); Application for Increase
5 of Time Under Local Rule 7.1.h.2; and (3) [Proposed] Order Granting Ex Parte Motion
6 Extending Time Under Local Rule 7.1.h.3(b) and Federal Rules of Civil Procedure 6(b);
7 Application for Increase of Time Under Local Rule 7.1.h.2 filed April 14, 2006 contained
8 inadvertent errors in the caption and body including as Defendants Justice John A. Manglona
9 and Timothy H. Bellas. Revised copies of the three aforementioned papers, omitting reference to
10 Justice Manglona and Mr. Bellas are attached hereto to replace the aforementioned documents in
11 their entirety.
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13
14 Respectfully submitted,

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16 CIVILLE & TANG

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18 DATED: April 17, 2006

19 By: 
20 G. PATRICK CIVILLE
21 Attorneys for Defendants
22 Justice Alexandro C. Castro,
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vs.

CIVIL ACTION NO. 05-0027

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ROBERT A. BISOM; and JAY H.
SORENSEN.

Defendants.

**EX PARTE MOTION EXTENDING TIME
UNDER LOCAL RULE 7.1.h.3(b) AND
FEDERAL RULES OF CIVIL
PROCEDURE 6(b); APPLICATION FOR
INCREASE OF TIME UNDER LOCAL
RULE 7.1.h.2**

CERTIFICATE PURSUANT TO LOCAL RULE 7.1.h.3(b)

I, G. PATRICK CIVILLE, declare as follows:

1. I am counsel representing Defendant Alexandro C. Castro in this action. I submit this certificate pursuant to Local Rules 7.1.h.3(b) and 7.1.h.2 in support of Defendant's *ex parte* motion for an order extending time to file a responsive pleading to Plaintiff Robert D. Bradshaw's Second Amended Complaint.

2. Defendant Castro is represented by the undersigned, having the following address and phone number:

CIVILLE & TANG
PMB 86, P.O. Box 10003
Saipan, MP 96950-8903
Telephone: 670/235-1725

3. Plaintiff Bradshaw, appearing *pro se*, is without counsel, and his address and phone number as listed on his Second Amended Complaint is:

P.O. Box 473
1530 W. Trout Creek Road
Calder, Idaho 83808
Telephone: 208-245-1691

4. Defendants CNMI, Nicole Forelli, William C. Bush, D. Douglas Cotton, and Pamela Brown are represented by the Commonwealth of the Northern Mariana Islands Attorney General's Office whose address and relevant numbers are:

James D. Livingstone
CNMI Office of Attorney General
Civil Division-Capitol Hill
2nd Fl., Hon. Juan A. Sablan Memorial Bldg.
Caller Box 10007
Saipan, MP 96950
Telephone: 670-664-2341
Facsimile: 670-664-2349

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1 5. Defendant Jay Sorenson's address and relevant numbers are:

2 c/o Shanghai
3 Post Office Box 9022
4 Warren, MI 48090-9022
5 Telephone: (86) 21 5083-8524
6 Facsimile: (86) 21 5083-8542

7 6. The address of the other defendants is unknown at this time.

8 7. Defendant Castro is requesting that the Court extend the time to file a dispositive
9 motion, including a motion to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(6), or
10 responsive pleading to the Plaintiff's Second Amended Complaint for the reasons set forth in the
11 Motion and Memorandum of Points and Authorities submitted herewith.

12 8. The reason for this *ex parte* application is that the Second Amended Complaint
13 was sent by Plaintiff Bradshaw to counsel for Defendant Castro by mail. Counsel only received
14 the Second Amended Complaint, sent in the mail to the Saipan Office, on April 13, 2005. The
15 pleading was thereafter sent by counsel's Saipan Office via overnight mail to Guam, where
16 counsel is presently working, and was not actually received by counsel until April 14, 2006.
17 Upon review of the Second Amended Complaint, it appears that the filing deadline for a
18 responsive pleading is April 15, 2006, which falls on a Saturday thus extending the deadline to
19 April 17, 2006. The Second Amended Complaint is seventy five (75) pages in length and
20 contains numerous attachments. Additional time is needed to properly review and compose an
21 appropriate response to the pleading.

22 9. I contacted Plaintiff Bradshaw telephonically on April 14, 2006, and requested
23 Plaintiff's assent to an extension of time to respond to the Second Amended Complaint until
24 June 19, 2006. Plaintiff consented to this extension of time.

25 10. Because Plaintiff Bradshaw resides in Idaho, we were unable to obtain a
26 stipulation memorializing this agreement in a timely manner.

27 11. As required under Local Rule 7.1.h.2, counsel submits that the Court has not
28 previously granted an extension of time to Defendant Castro to file a responsive pleading to the
Second Amended Complaint. The Court has extended such time for the Defendants represented


1 by the Commonwealth Attorney General's Office until June 19, 2006; thus, an extension for
2 Defendant Castro will not affect other scheduled dates.

3 12. Defendant Castro requests that the court extend the time to file a dispositive
4 motion or responsive pleading to the Second Amended Complaint until June 19, 2005.

5 13. Service of the motion papers will be made on all counsel when the motion is filed
6 with the Court.

7 I declare under penalty of perjury under the laws of the United States that the foregoing is
8 true and correct.
9

10
11 Dated: April 17, 2006.


G. PATRICK CIVILLE
Attorneys for Defendant
Justice Alexandro C. Castro,

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BROWN, former Attorney General of the
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Defendants.

CIVIL ACTION NO. 05-0027

**MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF *EX
PARTE* MOTION EXTENDING TIME
UNDER LOCAL RULE 7.1.h.3(b) AND
FEDERAL RULES OF CIVIL
PROCEDURE 6(b); APPLICATION FOR
INCREASE OF TIME UNDER LOCAL
RULE 7.1.h.2**

1 Defendant Alexandro C. Castro requests that the court allow him additional time, until
2 June 19, 2006, to file a dispositive motion or responsive pleading to the Second Amended
3 Complaint filed by the Plaintiff in this matter. The Defendant Castro's *ex parte* motion is
4 supported by the Memorandum of Points and Authorities which follows, all matters of record
5 herein, and such arguments as may be adduced at a hearing hereon.

6 Plaintiff Bradshaw mailed a copy of the Second Amended Complaint to counsel for
7 Defendant Castro at counsel's Saipan Office address. Counsel received the Second Amended
8 Complaint, sent in the mail to the Saipan Office, on April 13, 2005. The pleading was thereafter
9 sent by counsel's Saipan Office via overnight mail to Guam, where counsel is presently working,
10 and was not actually received by counsel until April 14, 2006. Upon review of the Second
11 Amended Complaint, it appears that the filing deadline for a responsive pleading is April 15,
12 2006, which falls on a Saturday thus extending the deadline to April 17, 2006. The Second
13 Amended Complaint is seventy five (75) pages in length and contains numerous attachments.
14 The Second Amended Complaint alleges a total of seventeen (17) claims.


15 Due to the voluminous nature of the pleadings, and the delayed receipt of the Second
16 Amended Complaint in the mail, Defendant Castro requires additional time to properly review
17 and compose an appropriate response to the pleading.

18 For the reasons stated herein, the Defendant Castro respectfully requests that the Court
19 grant Defendant's *Ex Parte Motion Extending Time Under Local Rule 7.1.h.3(b) and Federal*
20 *Rules of Civil Procedure 6(b); Application for Increase of Time Under Local Rule 7.1.h.2.*

21 Respectfully submitted,

22 CIVILLE & TANG

23 DATED: April 17, 2006

24 By: 
25 G. PATRICK CIVILLE
26 Attorneys for Defendants
27 Justice Alexandro C. Castro,
28

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ROBERT A. BISOM; and JAY H.
SORENSEN.

Defendants.

CIVIL ACTION NO. 05-0027

**[PROPOSED] ORDER GRANTING
EX PARTE MOTION EXTENDING TIME
UNDER LOCAL RULE 7.1.h.3(b) AND
FEDERAL RULES OF CIVIL
PROCEDURE 6(b); APPLICATION FOR
INCREASE OF TIME UNDER LOCAL
RULE 7.1.h.2**

1 Defendant Alexandro C. Castro's Ex Parte Motion Extending Time up to and including
2
3 June 19, 2006 to file a responsive pleading or dispositive motion in the above-entitled action is
4 hereby **GRANTED**.

5
6 Dated: _____

7 **HONORABLE ALEX R. MUNSON**
8 **U.S. DISTRICT COURT JUDGE**
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